

**TOWN COUNCIL  
REGULAR MEETING  
DECEMBER 10, 1997  
7:00 P.M.**

**1. PLEDGE OF ALLEGIANCE**

The meeting was called to order at 7:03 p.m. by Mayor Venis and was followed by the Pledge of Allegiance.

**2. ROLL CALL**

Present were Mayor Venis, Vice-Mayor Santini and Councilmembers Bush and Cox. Also present were Town Administrator Flatley, Town Attorney Webber, and Town Clerk Reinfeld recording the meeting. Councilmember Kiar was absent.

**3. SILVER RIDGE ELEMENTARY SCHOOL - SOUNDASTICS CHORUS**

A musical presentation was provided by the Soundastics Chorus.

**4. OPEN PUBLIC MEETING**

Mayor Venis advised the speakers of the Open Public Meeting procedures.

Edna Moore (6553 Stirling Road) discussed the achievements that Mason Wachtstetter had made during his life and asked that the new bridge at Davie Road be designated after Mr. Wachtstetter.

Michael Davenport, 14041 SW 22 Place, discussed the Golf for Kids Project which he had visited. He advised that Charter Schools was an ongoing topic at the Joint Economic Development Steering Committee and indicated that this type of school was a good alternative.

Mr. Davenport advised that Councilmember Kiar had decided not to seek another term and applauded Councilmember Kiar for his efforts. He discussed individuals who might be seeking Councilmember Kiar's seat and indicated that the public would be well-informed for the upcoming election.

John Pisula, 2933 SW 136 Avenue, advised that he was involved with Broward Community College's Campaign 2000 which he discussed. He indicated that support was needed from Council, the business community and residents.

Al Tyler, 8090 SW 19 Court, read a letter that he had written to the Community News regarding Councilmember Kiar not running for re-election.

Judy Paul, 14421 SW 24 Street, congratulated Police Chief Jack Mackie on the efforts of Officer LaBelle with the Thanksgiving dinner and thanked Lewis Sherman, General Manager - Davie Ale House. She reiterated Mr. Pisula's comments regarding children in school. Mayor Venis announced that a presentation would be made to the Davie Ale House at an upcoming Council meeting.

State Senator Howard Forman advised that he was interested in the Coquina Flats issue which was recently passed by the Broward County Commission and which was on this meeting's agenda. He indicated that annexation hearings had recently been held and he appreciated Council's cooperation on both issues. Mayor Venis thanked Senator Forman for doing a good job for the Town.

**5. PRESENTATIONS**

**5.1 Davie/Cooper City Chamber of Commerce**

Chuck Lennon, Executive Director, advised of the events that the Chamber was planning.

**5.2 Upcoming Special Events - Sharon Pierce-Kent and Bonnie Stafiej**

Sharon Pierce-Kent, Community Services Director, announced that upcoming events included: Santa's telephone calls to the Town's youth (December 11th); youth baseball and girl's softball registration (December 15th); and Pine Island Family Fitness Center open house (January 10th).

Bonnie Stafiej, Special Projects Coordinator, advised that upcoming events included: Lighting of the Green Ceremony, the South Florida Trailriders Jingle Bell parade, and Old Davie School Foundation tours (December 14th); Concert in the Park (December 21st); and Bull Riding Series (January 10th).

**5.3** Chief Mackie advised that the Town's Child Safety Seat Check Program would be held on December 13th at

Ed Morse Buick. He added that the Columbia Westside Regional Medical Center had provided a \$2,000 grant for Bicycle Helmet and Bicycle Safety Training and indicated that every student 16 years of age and younger would receive the training. Chief Mackie indicated that should Council approve support of this training [item 8.16], \$700 from the Forfeiture Fund would also be used to provide the training.

## **6. OCCUPATIONAL LICENSES**

### *Home Occupational Licenses*

6.1 Pivot Records, 5750 SW 61 Avenue

Roger Girard and Amy Sanchez, the applicant, were present. He confirmed that the request was for mail and phone use only.

Vice-Mayor Santini made a motion, seconded by Councilmember Cox, to approve. In a roll call vote, the vote was as follows: Mayor Venis - yes; Vice-Mayor Santini - yes; Councilmember Bush - yes; Councilmember Cox - yes; Councilmember Kiar - absent. (Motion carried 4-0)

6.2 L & I Gallo Accounting, 1200 Danbury Avenue

The applicant was not present.

Mayor Venis announced that items 10.6 and 10.7 needed to be tabled to December 17, 1997.

Councilmember Bush made a motion, seconded by Councilmember Cox, to table. In a roll call vote, the vote was as follows: Mayor Venis - yes; Vice-Mayor Santini - yes; Councilmember Bush - yes; Councilmember Cox - yes; Councilmember Kiar - absent. (Motion carried 4-0) **(Later in the meeting, item 10.7 was tabled to January 21, 1998.)**

Mayor Venis announced that items 10.8, 10.9 and 11.1 needed to be tabled to January 7, 1998.

Councilmember Cox made a motion, seconded by Vice-Mayor Santini, to approve. In a roll call vote, the vote was as follows: Mayor Venis - yes; Vice-Mayor Santini - yes; Councilmember Bush - yes; Councilmember Cox - yes; Councilmember Kiar - absent. (Motion carried 4-0)

## **7. MAYOR/COUNCILMEMBER AND TOWN ADMINISTRATOR'S COMMENTS**

### **COUNCILMEMBER BUSH**

**LEAGUE OF CITIES CONFERENCE.** Councilmember Bush stated that he recently attended the League of Cities Conference in Philadelphia.

**CRIME WATCH.** Mr. Pisula stated that holiday safety tip sheets were being distributed in the Oak Hill area and indicated that the area's Crime Watch would be having a booth at the WestFair event. He presented Council with a holiday safety tip sheets.

Mayor Venis commended the Town's Police Department for their efforts in solving crimes.

### **VICE-MAYOR SANTINI**

**SILVER RIDGE ELEMENTARY.** Vice-Mayor Santini commended Silver Ridge Elementary School Soundtastics for the musical presentation and students who acted as Councilmembers for Government Day.

**LEAGUE OF CITIES CONFERENCE.** Vice-Mayor Santini stated that councilmembers from across the nation met to share ideas so not to reinvent the wheel. She said that all cities were displeased with the school system and discussed Collin Powell's American Alliance for Children program.

**THANKS.** Vice-Mayor Santini thanked Jones Intercable for inviting her family to provide a holiday message.

**THANKSGIVING DAY DINNER.** Vice-Mayor Santini stated that on Thanksgiving Day, she was with the Town's Police Department to feed hundreds of people at the Davie Ale House. She advised that this gathering taught her children a lesson on individuals who were lonely, poor or destitute.

**CONCERT IN THE PARK.** Vice-Mayor Santini thanked Mr. Flatley for the concert that was held on November 30th at Robbins Lodge.

### **COUNCILMEMBER COX**

**THANKSGIVING DAY DINNER.** Councilmember Cox stated that she also attended the dinner at the Davie Ale House and commended those who volunteered. She also thanked the police officers who were involved

in coordinating their efforts.

**DAVIE POLICE CHAPLAINS BREAKFAST.** Councilmember Cox stated that she attended the breakfast which was inspiring.

**HOLIDAY EVENTS.** Councilmember Cox stated that the Jingle Bell Parade would be held in the downtown area and would finish at the Old Davie School where tours would be provided. She added that a Toys for Tots drive would held at the Lighting of the Greens ceremony.

**LEAGUE OF CITIES CONFERENCE.** Councilmember Cox recommended that a workshop be held to share what was learned at the conference.

**CONCERT IN THE PARK.** Councilmember Cox stated that she attended the concert and invited everyone to attend.

**FIRST ANNUAL CHARITY OPEN INVITATIONAL ORANGE BLOSSOM WESTFAIR COWBOY COW PASTURE GOLF CLASSIC.** Councilmember Cox discussed the First Annual Charity Open Invitational Orange Blossom WestFair Cowboy Cow Pasture Golf Classic and indicated that brochures were now available. She advised that the Classic would be held February 26th.

### **COUNCILMEMBER KIAR**

Councilmember Kiar was not present.

### **MAYOR VENIS**

**WORKSHOP/LEAGUE OF CITIES CONFERENCE.** Mayor Venis stated that he thought the workshop was a good idea and added that the conference was a real learning experience. He distributed brochures from the conference.

**THANKS.** Mayor Venis thanked Jones Intercable for inviting his family to provide a holiday message.

**HOLIDAY EVENTS.** Mayor Venis stated that Council would be in attendance for the events being held during the Lighting of the Green Ceremony.

**STUDENT GOVERNMENT DAY.** Mayor Venis indicated that Council took part in Student Government Day and he thanked the parents and School for their participation.

**ANNEXATIONS.** Mayor Venis stated that he and Councilmember Cox attended the Broward County Legislation Delegation hearing on annexations. He indicated that he had heard that the annexations passed on second hearing.

**METROPOLITAN PLANNING ORGANIZATION.** Mayor Venis stated that the League of Cities had recommended that the Town obtain its own seat on the Organization. He thanked Councilmember Bush for serving on the League's board. Mayor Venis indicated that the Town needed to push the local agencies to adopt the League's position.

**BINGO.** Mayor Venis stated that he had called a round of bingo at the Ivanhoe Community Center and thanked the senior's group for inviting him.

### **TOWN ADMINISTRATOR'S REPORT**

**STUDENT GOVERNMENT DAY.** Mr. Flatley stated that he took the student who "shadowed" him to the city manager's luncheon.

**ANNEXATION BILLS.** Mr. Flatley stated that the Town had four annexation bills which had been passed and indicated that these bills were scheduled for first reading at the full legislative delegation meeting on December 11th.

**LEAGUE OF CITIES CONFERENCE.** Mr. Flatley discussed the conference and the City of Philadelphia's history and progress.

**NEIGHBORHOOD WORKSHOP.** Mr. Flatley stated that the Town would be holding a neighborhood workshop in the Ivanhoe area on January 13th.

**ANNUAL POLICE ATHLETIC LEAGUE CHRISTMAS PARTY.** Mayor Venis advised that the Christmas Party would be held on December 18th. Chief Mackie stated that the event would be held at the Eastside Community Hall and indicated that the food was being donated by Publix.

## **8. CONSENT AGENDA**

## ***Minutes***

8.1 October 15, 1997 - Regular Meeting

8.2 October 29, 1997 - Special Meeting

8.3 November 4, 1997 - Joint Meeting

## ***Proclamation***

8.4 Rick Case Bikes for Kids Day - December 4, 1997

## ***Resolutions***

8.5 **WAIVER OF FEE** - A RESOLUTION OF THE TOWN OF DAVIE, FLORIDA, R-97-411 AUTHORIZING THE FEES TO BE WAIVED FOR THE PINE ISLAND COMMUNITY CENTER AND POOL FOR THE WEST BROWARD AMPUTEE SPORTS CLINIC ON MARCH 7, 1998. (Second Annual Amputee Sports Clinic)

8.6 **BID** - A RESOLUTION OF THE TOWN OF DAVIE, FLORIDA, ACCEPTING THE R-97-412 BID FOR A CHEVROLET CAVALIER, STATE OF FLORIDA BID 070-001-96-1. (Maroone Chevrolet - \$11,551)

8.7 **BID EXTENSION** - A RESOLUTION OF THE TOWN OF DAVIE, FLORIDA, R-97-413 EXTENDING THE BID FOR SCHOOL CROSSING GUARDS. (Kemp Services, Inc. - \$9/hour)

8.8 **CHANGE ORDER** - A RESOLUTION OF THE TOWN OF DAVIE, FLORIDA, R-97-414 AUTHORIZING THE MAYOR TO EXECUTE A CONTRACT CHANGE ORDER FOR CONSTRUCTION OF A WASTEWATER TREATMENT PLANT EXPANSION. (net increase in the amount of \$21,346.42)

8.9 **MITIGATION** - A RESOLUTION OF THE TOWN OF DAVIE, FLORIDA, R-97-415 APPROVING THE SPECIAL MASTER'S RECOMMENDATION FOR MITIGATION OF THE CODE ENFORCEMENT FINE IN CASE NO. 87-14 FROM \$173,000 IN AMOUNT TO \$2,000; AND PROVIDING AN EFFECTIVE DATE. (Jeff Archuleta, now owning the property formerly belonging to CDS Southwest Inc., AKA Community Development Systems)

8.10 **MITIGATION** - A RESOLUTION OF THE TOWN OF DAVIE, FLORIDA, R-97-416 APPROVING THE SPECIAL MASTER'S RECOMMENDATION FOR MITIGATION OF THE CODE ENFORCEMENT FINE IN CASE NO. 96-530 FROM \$5,000 IN AMOUNT TO \$800; AND PROVIDING AN EFFECTIVE DATE. (Luella M. Harrison and Pearl M. Miller)

8.11 **MITIGATION** - A RESOLUTION OF THE TOWN OF DAVIE, FLORIDA, R-97-417 APPROVING THE SPECIAL MASTER'S RECOMMENDATION FOR MITIGATION OF THE CODE ENFORCEMENT FINE IN CASE NO. 97-136 FROM \$28,900 IN AMOUNT TO \$0; AND PROVIDING AN EFFECTIVE DATE. (K.C. and Company, Inc. and Neil M. and Kelly Ferrara)

8.12 **AGREEMENT** - A RESOLUTION OF THE TOWN OF DAVIE, FLORIDA, R-97-418 APPROVING THE ADDENDUM TO THE DOMESTIC INTERDICTION UNIT AGREEMENT BETWEEN THE SHERIFF'S OFFICE OF BROWARD COUNTY, CITY OF HOLLYWOOD, CITY OF POMPANO BEACH, CITY OF FORT LAUDERDALE, CITY OF CORAL SPRINGS, TOWN OF DAVIE AND THE UNITED STATES BORDER PATROL; AND PROVIDING AN EFFECTIVE DATE.

8.13 **EASEMENT** - A RESOLUTION OF THE TOWN OF DAVIE, FLORIDA, R-97-419 ACCEPTING EASEMENTS FROM PETROAMERICA, INC. FOR USE AS PUBLIC UTILITY EASEMENTS; AND PROVIDING FOR AN EFFECTIVE DATE. (4201 SW 64th Avenue)

8.14 **EASEMENT** - A RESOLUTION OF THE TOWN OF DAVIE, FLORIDA,

R-97-420 ACCEPTING AN EASEMENT FROM NEIL AND KELLY FERRARA FOR USE AS A PUBLIC UTILITY EASEMENT; AND PROVIDING FOR AN EFFECTIVE DATE. (4288 SW 64th Avenue)

**8.15 EASEMENT** - A RESOLUTION OF THE TOWN OF DAVIE, FLORIDA, R-97-421 ACCEPTING EASEMENTS FROM T & T INVESTMENT GROUP, INC. FOR USE AS PUBLIC UTILITY EASEMENTS; AND PROVIDING FOR AN EFFECTIVE DATE. (4313 SW 64th Avenue)

**8.16 LAW ENFORCEMENT TRUST FUND** - A RESOLUTION OF THE TOWN OF R-97-422 DAVIE, FLORIDA, AUTHORIZING FUNDS FROM THE LAW ENFORCEMENT TRUST FUND TO FUND THE POLICE DEPARTMENT HELMET AND BICYCLE SAFETY PROGRAM. (purchase cost \$2,700; after reimbursement, final cost to be \$700)

**8.17 CLASS SPECIFICATIONS** - A RESOLUTION OF THE TOWN OF DAVIE, R-97-423 FLORIDA, CREATING THE CLASS SPECIFICATION FOR COMMUNITY SERVICES COORDINATOR, REVISING THE CLASS SPECIFICATION FOR REDEVELOPMENT ADMINISTRATOR AND RETITLING THE CLASS SPECIFICATION FOR ASSISTANT DIRECTOR OF BUDGET & FINANCE IN THE NON-REPRESENTED PAY AND CLASSIFICATION PLAN AND CREATING THE CLASS SPECIFICATION FOR LEAD PERMIT CLERK IN THE FEDERATION OF PUBLIC EMPLOYEES, WHITE COLLAR UNIT, TO BE IN ACCORDANCE WITH THE AMERICANS WITH DISABILITIES ACT.

**8.18 LEASE AGREEMENT** - A RESOLUTION OF THE TOWN OF DAVIE, FLORIDA, R-97-424 AUTHORIZING THE MAYOR TO EXECUTE A LEASE AGREEMENT WITH THE BROWARD COUNTY SCHOOL BOARD. (Hawkes Bluff Elementary School - January 13, 1998)

*Resolution (Public Hearing to be held December 17, 1997)*

**8.19 FINDING OF SLUM OR BLIGHTED AREAS** - A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF DAVIE, FLORIDA; FINDING CERTAIN AREAS OF THE TOWN TO BE SLUM OR BLIGHTED AND FINDING THE NEED FOR THE TOWN OF DAVIE COMMUNITY REDEVELOPMENT AGENCY TO HAVE JURISDICTION TO EXERCISE THE POWERS OF CHAPTER 163, PART III WITHIN SAID AREA; PROVIDING FOR AN EFFECTIVE DATE (approximately 20 acres generally located north of State Road 84 Spur (Access Road), west of Burris Road, east of the Florida Turnpike and south of State Road 84)

*Ordinance - First Reading (public hearing to be held on December 17, 1997)*

**8.20 CODE AMENDMENT** - AN ORDINANCE OF THE TOWN OF DAVIE, FLORIDA, AMENDING THE CODE OF ORDINANCES OF THE TOWN OF DAVIE, ARTICLE X ENTITLED, "PLANNING AND DEVELOPMENT," CREATING DIVISION 5. ENTITLED, "PLANNING AND ZONING IN PROGRESS"; CREATING THEREUNDER SECTION 12-315 ENTITLED, "GENERALLY," SECTION 12-315.1 ENTITLED, "EFFECTIVE DATE AND DURATION"; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE. (tabled from November 19, 1997)

*Ordinance - First Reading (public hearing to be held on January 7, 1998)*

**8.21 LAND USE PLAN AMENDMENT** - AN ORDINANCE OF THE TOWN OF DAVIE, FLORIDA, APPROVING APPLICATION LABC(SS)-97-4A, AMENDING THE TOWN OF DAVIE COMPREHENSIVE PLAN BY CHANGING THE FUTURE LAND USE PLAN MAP DESIGNATION OF CERTAIN LANDS FROM "RESIDENTIAL (5 DU/AC)" TO "COMMERCE/OFFICE"; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE. (LABC(SS)-97-4A, 11800 State Road 84)

Mayor Venis asked that item 8.4 be removed from the Consent Agenda.

Town Clerk Reinfeld read the ordinances-first reading by title only. Mayor Venis advised that a public hearing on items 8.19 and 8.20 would be held on December 17, 1997. He added that a public hearing on items 8.21 would be held on January 7, 1998.

Councilmember Bush made a motion, seconded by Councilmember Cox, to approve the Consent Agenda without item 8.4. In a roll call vote, the vote was as follows: Mayor Venis - yes; Vice-Mayor Santini - yes; Councilmember Bush - yes; Councilmember Cox - yes; Councilmember Kiar - absent. (Motion carried 4-0)

8.4 Town Clerk Reinfeld read the proclamation. Mayor Venis presented Mr. Bartholomew with the proclamation. Mr. Bartholomew indicated that anyone who wished to donate bicycles, could bring them to Rick Case Acura in Sunrise. Vice-Mayor Santini suggested that bicycles could be brought to the Town and staff would bring them to the facility.

## **9. SITE PLANS**

9.1 SP 10-3-97, South Florida Transportation Center, 4625 SW 30 Street (M-4, County) *Planning and Zoning Division recommendation to be provided; Site Plan Committee recommendation to be provided*

Bruce Reed, representing the petitioner, was present. Michele Mellgren, Director of Development Services, read the planning report.

Councilmember Bush made a motion, seconded by Councilmember Cox, to approve. In a roll call vote, the vote was as follows: Mayor Venis - yes; Vice-Mayor Santini - yes; Councilmember Bush - yes; Councilmember Cox - yes; Councilmember Kiar - absent. (Motion carried 4-0)

9.2 SP 10-10-97, Town of Davie Police/Fire/EMS Facility, southeast corner of intersection at Nob Hill Road and State Road 84 (CF) *Planning and Zoning Division recommends approval subject to the planning report; Site Plan Committee recommends approval subject to the planning report and ensuring that the details for the cricket condition are solvable*

Ms. Mellgren read the planning report. Councilmember Cox discussed her concerns with the proposed roof and recommended that this item be tabled.

Vice-Mayor Santini made a motion, seconded by Councilmember Cox, to table the item the next meeting [December 17, 1997]. In a roll call vote, the vote was as follows: Mayor Venis - yes; Vice-Mayor Santini - yes; Councilmember Bush - yes; Councilmember Cox - yes; Councilmember Kiar - absent. (Motion carried 4-0)

## **10. PUBLIC HEARINGS**

Mayor Venis opened the public hearing portion of the meeting.

### ***Ordinances - Second and Final Reading***

10.1 **CODE AMENDMENT** - AN ORDINANCE OF THE TOWN OF DAVIE, FLORIDA, 97-73 AMENDING SECTION 12-107(A)(5)(c) OF THE CODE OF THE TOWN OF DAVIE, ENTITLED, "SITE LANDSCAPING," TO CLARIFY THE REQUIREMENTS FOR DIVERSITY TO REGULATE THE PLACEMENT OF FENCES, WALLS, GUARD GATES, GUARDBOUSES OR SIMILAR FEATURES RELATIVE TO LANDSCAPE BUFFERS; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE.

Town Clerk Reinfeld read the ordinance by title.

Mayor Venis asked if anyone wished to speak for or against the ordinance. As no one spoke, the public hearing was closed.

Councilmember Bush made a motion, seconded by Councilmember Cox, to approve. In a roll call vote, the vote was as follows: Mayor Venis - yes; Vice-Mayor Santini - yes; Councilmember Bush - yes; Councilmember Cox - yes; Councilmember Kiar - absent. (Motion carried 4-0)

10.2 **AGREEMENT** - AN ORDINANCE OF THE TOWN OF DAVIE, FLORIDA, 97-70 APPROVING THE RENEWAL OF THE AGREEMENT FOR COLLECTION AND DISPOSAL OF SOLID WASTE AND RECYCLABLE MATERIALS BETWEEN THE TOWN OF DAVIE AND SOUTHERN SANITATION SERVICE, A DIVISION OF WASTE MANAGEMENT, INC. OF FLORIDA; PROVIDING FOR SEVERABILITY; AND PROVIDING AN EFFECTIVE DATE.

Town Clerk Reinfeld read the ordinance by title.

Mayor Venis asked if anyone wished to speak for or against the ordinance.

Dan Barr (11550 SW 37 Court) discussed competitive bidding and encouraged Council to continue the competitive bidding process.

Dave Weisberg, 2821 SW 87 Avenue, spoke in favor of the current waste hauler.

An unidentified man (Al Tyler) stated that Waste Management did a good job but he thought there should be competitive bidding.

Michael Davenport, 14041 SW 22 Place, spoke in favor of the current waste hauler.

Barbara LaRocca, 3701 SW 59 Avenue, spoke in favor of the current waste hauler.

An unidentified woman (Edna Moore) spoke in favor of the current waste hauler.

Matt Morrall, representing All Service Refuse Company, asked that Council hold discussions with his client as there was almost a year remaining on the current contract. He discussed a residential cost comparison between the Town, Coconut Creek and Sunrise. Mr. Morrall advised that in order to enter into competitive negotiations, he had been authorized to agree to execute the existing contract which could be held in escrow.

Philip Medico, representing USA Waste Service, advised that his client had evaluated the numbers submitted by Waste Management and indicated that the numbers were high. He advised that he had been authorized to offer the same identical proposal as submitted by Waste Management and recommended that the process be put out for competitive bidding. Mr. Medico requested that the extension of the franchise agreement be denied and put out for public bid.

Fred Skop and Tony Spadaccia, representing BFI, were present. Mr. Skop stated that BFI's recycling facility was located in the Town and BFI had proven itself as a good corporate citizen and resident in the Town. He indicated that BFI was prepared to offer substantial savings over the current contract that was being negotiated. Mr. Skop added that with a competitive process, his firm would provide the lowest possible prices for the best possible services.

Mr. Spadaccia indicated throughout Broward County, any city that had approached the competitive bidding process, had gained as a result of the process. He indicated that the Town had an opportunity to seriously improve its revenue opportunity to the Town's residents without compromising service.

Amy Fedora, representing Brookwood Home, spoke in favor of the current waste hauler.

Richard Weiner, 10244 SW 18 Street, thought there should be competitive bidding to make sure that the best was obtained for the residents.

Dennis Urbanski, representing Waste Management, discussed the proposed contract and previous speakers comments. Mr. Urbanski distributed a list of services that Waste Management provided.

Town Clerk Reinfeld read letters from Mickey Maros and James Kleinrich who were in favor of the current waste hauler.

Vice-Mayor Santini stated that the Town and Waste Management shared a 50/50 split in recycling revenues; however, the Town only shared 50% of the avoided disposal rate. She said that should the Town receive 100% of the avoided disposal rate and 50% of the revenue, the Town would save \$144,000 per year. She asked that this be considered. Mr. Urbanski stated that Waste Management would like to have a partnership to share in the efforts put forward to deliver greater returns on the disposal avoidance. He indicated that he was willing to trade the 100% of the sale of materials based on the total number of tons reported by the County which could be used as a benchmark. Mr. Urbanski advised that should his firm be successful in improving the recycling program, he would like there to be a sharing on a 50/50 basis on any additional tonnage delivered to the recycling facility once the benchmark was exceeded. In addition, he asked that the contract be extended from five to six years. Since the proposed contract did not begin until October 1998, Vice-Mayor Santini asked that the 100% of the avoided disposal fee be effective immediately. Mr. Urbanski clarified that this change would be effective January 1, 1998. Mayor Venis asked if anyone had any closing statements.

Mr. Spadaccia stated that tonight's meeting produced a substantial savings to the Town and added that outside bidding or negotiations would result in additional savings.

Mr. Morrall stated that his client was willing to sign an agreement and indicated that there was no harm in delaying action on the proposed contract. He added that there was still substantial savings to be had.

Mr. Medico supported the other waste hauler's request and recommended that the contract be put out to bid.

Mr. Urbanski advised that because of past negotiations, the Town received one of the lowest rates in the County for residential as well as commercial. He added that over 90% of the residents were satisfied with the service and would not change the waste hauler.

Vice-Mayor Santini clarified that the recycling rate was to be based on what the Town recycled not the County. Mr. Urbanski replied in the affirmative.

Mayor Venis closed the public hearing portion of the meeting.

Mr. Flatley spoke on the discussions that had been held with Waste Management and indicated that it was his recommendation to continue with Waste Management. He added that the Town's Charter allowed for competitive negotiations.

Councilmember Cox stated that should this contract be approved, the Town would have a better contract; however, it had been a number of years since this service had been competitively bid. She indicated that she thought it was in the Town's best interest to rebid or accept request for proposals.

Vice-Mayor Santini stated that she had negotiated with Waste Management and had spoken with the other waste haulers. She discussed previous programs that Waste Management had implemented at no extra charge to the residents. Vice-Mayor Santini indicated that if she thought she could get a better contract than what had been negotiated with Waste Management, she would also recommend that the contract be put out to bid. She stated that she was in favor of the proposed contract.

Councilmember Bush stated that he was comfortable with Waste Management and he was in favor of extending the contract.

Mayor Venis advised that the residents had ranked Waste Management extremely high and he had received very few complaints. He indicated that Waste Management went beyond the contract for the Town's residents. Mayor Venis stated that he had met with the other waste haulers and he was in favor of extending the contract.

Vice-Mayor Santini made a motion, seconded by Councilmember Bush, to approve. Mr. Webber asked that there be a clarification on page D2 of Exhibit D with respect to the exemption for Rexmere and Paradise Villages; the last line of the first paragraph be clarified by inserting "Rexmere Village is" after the word "if". He asked that the motion include the changes that were agreed to tonight and the contract would be modified to incorporate the changes. Mr. Webber indicated that the changes included the extension to six years, the recycling change, the effectiveness of the recycling change being January 1, 1998, and the wording for the annexation. Vice-Mayor Santini amended her motion. Councilmember Bush amended his second.

In a roll call vote, the vote was as follows: Mayor Venis - yes; Vice-Mayor Santini - yes; Councilmember Bush - yes; Councilmember Cox - no; Councilmember Kiar - absent. (Motion carried 3-1)

**10.3 CODE AMENDMENT - AN ORDINANCE OF THE TOWN OF DAVIE, FLORIDA, 97-71 AMENDING THE CODE OF ORDINANCES OF THE TOWN OF DAVIE, SECTION 12-32, ENTITLED, "TABLE OF PERMITTED USES," SUBSECTION (D), "RECREATIONAL, COMMUNITY FACILITIES AND UTILITIES DISTRICTS," TO CLASSIFY CHURCHES, HOUSES OF WORSHIP AS A CONDITIONALLY PERMITTED USE, SUBJECT TO THE DETAILED USE REGULATIONS OF SECTION 12-34; CREATING SECTION 12-34, PARAGRAPH (DD), "CHURCHES, HOUSES OF WORSHIP", TO REQUIRE A MINIMUM DISTANCE SEPARATION BETWEEN SUCH USES; PROVIDING FOR SEVERABILITY; AND, PROVIDING FOR AN EFFECTIVE DATE.**

Town Clerk Reinfeld read the ordinance by title. Ms. Mellgren asked if Council would consider a minor clarification which was not material. She explained that "freestanding" would be added before "no house of worship" [Section 12-34(DD)].

Mayor Venis asked if anyone wished to speak for or against the ordinance. As no one spoke, the public hearing was closed.

Councilmember Cox made a motion, seconded by Vice-Mayor Santini, to approve with the change. In a roll call vote, the vote was as follows: Mayor Venis - yes; Vice-Mayor Santini - yes; Councilmember Bush - yes; Councilmember Cox - yes; Councilmember Kiar - absent. (Motion carried 4-0)

**10.4 DEED RESTRICTION REVISIONS - AN ORDINANCE OF THE TOWN OF DAVIE, 97-72 FLORIDA, APPROVING APPLICATION ZB 9-2-97 AMENDING ORDINANCE 94-43 BY CHANGING SECTION 1. b. TO PROVIDE FOR A REVISION TO THE DEED RESTRICTIONS ASSOCIATED WITH THE REZONING APPROVAL; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE. (ZB 9-2-97, Town of Davie, 1205 Nob Hill Road)**

Town Clerk Reinfeld read the ordinance by title.

Mayor Venis asked if anyone wished to speak for or against the ordinance. As no one spoke, the public hearing was closed.



Councilmember Bush made a motion, seconded by Councilmember Cox, to approve. In a roll call vote, the vote was as follows: Mayor Venis - yes; Vice-Mayor Santini - yes; Councilmember Bush - yes; Councilmember Cox - yes; Councilmember Kiar - absent. (Motion carried 4-0)

*Ordinance - First Reading and Public Hearing (Second and Final Public Hearing to be held December 17, 1997)*

**10.5 CODE AMENDMENT** - AN ORDINANCE OF THE TOWN OF DAVIE, FLORIDA, AMENDING THE CODE OF ORDINANCES OF THE TOWN OF DAVIE, SECTION 12-32, ENTITLED, "TABLE OF PERMITTED USES," SUBSECTION (B), "COMMERCIAL, OFFICE AND BUSINESS USE DISTRICTS," AND SUBSECTION (C), "BUSINESS PARK AND INDUSTRIAL," TO CLASSIFY "VEHICLE, BOAT, TRUCK SALES" AS A CONDITIONALLY PERMITTED USE, SUBJECT TO THE DETAILED USE REGULATIONS OF SECTION 12-34; AMENDING SECTION 12-34 ENTITLED, "STANDARDS ENUMERATED," PARAGRAPH (CC), "VEHICLE, MOBILE HOME, RECREATIONAL VEHICLE, BOAT SALES, RENTALS", TO REQUIRE A MINIMUM DISTANCE SEPARATION BETWEEN AUTOMOBILE AND/OR TRUCK SALES FACILITIES; PROVIDING FOR SEVERABILITY; AND, PROVIDING FOR AN EFFECTIVE DATE. (tabled from November 19, 1997)

Town Clerk Reinfeld read the ordinance by title. Mayor Venis asked if anyone wished to speak for or against the ordinance.

Edna Moore, 6553 Stirling Road, spoke against the ordinance.

Dean Alexander, 13820 SW 16 Street, thought the requirement of 2,500 feet between dealers was excessive in the proposed area.

Ms. Mellgren explained that the proposed area was the entire Town limits. A brief discussion followed on the proposed ordinance.

Dr. Kessler, 1284 Bayview Circle - Weston, spoke against the ordinance.

Matt Morrall, representing M S and S Toyota, stated that he felt it was necessary that the BP zoning be excluded from the ordinance as his client "came in specifically with that". He added in the alternative, some type of opinion regarding the grandfathering in, vesting of his client's rights or developer's agreement would be acceptable.

Mayor Venis closed the public hearing.

Vice-Mayor Santini questioned if one site plan which had two different dealers would be considered one dealership. Mr. Webber replied that this would constitute two separate dealerships unless this issue was specifically addressed in the ordinance.

Discussion followed with it being determined that this issue be tabled until January 7, 1998 to allow further review.

Vice-Mayor Santini made a motion, seconded by Councilmember Cox, to table to January 7, 1998. In a roll call vote, the vote was as follows: Mayor Venis - yes; Vice-Mayor Santini - yes; Councilmember Bush - yes; Councilmember Cox - yes; Councilmember Kiar - absent. (Motion carried 4-0)

*Items requested to be tabled (Ordinances - Second and Final Reading)*

**10.6 STAFF REQUESTING A TABLING TO DECEMBER 17, 1997**

**CODE AMENDMENT** - AN ORDINANCE OF THE TOWN OF DAVIE, FLORIDA, AMENDING THE CODE OF ORDINANCES OF THE TOWN OF DAVIE, ARTICLE X ENTITLED, "PLANNING AND DEVELOPMENT," CREATING DIVISION 5. ENTITLED, "PLANNING AND ZONING IN PROGRESS"; CREATING THEREUNDER SECTION 12-315 ENTITLED, "GENERALLY," SECTION 12-315.1 ENTITLED, "EFFECTIVE DATE AND DURATION"; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE.

This item was tabled earlier in the meeting.

**10.7 STAFF REQUESTING A TABLING TO DECEMBER 17, 1997**

**CODE AMENDMENT** - AN ORDINANCE OF THE TOWN OF DAVIE, FLORIDA, AMENDING THE CODE OF ORDINANCES OF THE TOWN OF DAVIE, SECTION 12-32, ENTITLED, "TABLE OF PERMITTED USES," SUBSECTION (B), "COMMERCIAL, OFFICE AND BUSINESS USE DISTRICTS," AND SUBSECTION (C), "BUSINESS PARK AND INDUSTRIAL," TO CLASSIFY "VEHICLE, BOAT, TRUCK SALES" AS A CONDITIONALLY PERMITTED USE, SUBJECT TO THE

DETAILED USE REGULATIONS OF SECTION 12-34; AMENDING SECTION 12-34 ENTITLED, "STANDARDS ENUMERATED," PARAGRAPH (CC), "VEHICLE, MOBILE HOME, RECREATIONAL VEHICLE, BOAT SALES, RENTALS", TO REQUIRE A MINIMUM DISTANCE SEPARATION BETWEEN AUTOMOBILE AND/OR TRUCK SALES FACILITIES; PROVIDING FOR SEVERABILITY; AND, PROVIDING FOR AN EFFECTIVE DATE.

Mayor Venis advised that this item needed to be tabled to January 21, 1998 [due to the tabling of item 10.7]. Councilmember Bush made a motion, seconded by Vice-Mayor Santini, to table to January 21, 1998. In a roll call vote, the vote was as follows: Mayor Venis - yes; Vice-Mayor Santini - yes; Councilmember Bush - yes; Councilmember Cox - yes; Councilmember Kiar - absent. (Motion carried 4-0)

#### 10.8 STAFF REQUESTING A TABLING TO JANUARY 7, 1998

VACATING OF RIGHT-OF-WAY - AN ORDINANCE OF THE TOWN OF DAVIE, FLORIDA, VACATING A PORTION OF ROAD RIGHT-OF-WAY FOR SW 55TH AVENUE ADJACENT TO SW 57TH STREET; PROVIDING FOR SEVERABILITY; AND PROVIDING AN EFFECTIVE DATE. (VA 9-2-97, First Impression II Lake Owners Association, Inc., 5700 SW 55 Street)

This item was tabled earlier in the meeting.

#### 10.9 STAFF REQUESTING A TABLING TO DECEMBER 17, 1997

REZONING - ZB 5-3-97, CDI Engineering & Planning/Sublime Inc., 5900 SW 70 Avenue (from R-2 to B-1) (tabled from November 5, 1997) *Planning and Zoning Division approved subject to the planning report; Planning and Zoning Board approved subject to the planning report*

This item was tabled earlier in the meeting.

### **11. ORDINANCE - FIRST READING**

#### 11.1 STAFF REQUESTING A TABLING TO DECEMBER 17, 1997

REZONING - AN ORDINANCE OF THE TOWN OF DAVIE, FLORIDA, CHANGING THE CLASSIFICATION OF CERTAIN LANDS WITHIN THE TOWN OF DAVIE FROM R-2 TO B-1; AMENDING THE TOWN ZONING MAP TO COMPLY THEREWITH; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE. (ZB 5-3-97, Fee/Sublime, Inc., 5900 SW 70 Avenue) (tabled from November 5, 1997)

This item was tabled earlier in the meeting.

### **12. APPOINTMENTS**

12.1 Parks and Recreation Advisory Board (terms expires August 1998; 1 exclusive appointments: Mayor Venis and Councilmember Cox) (members shall have a concern with or an interest in the park facilities and recreational needs of the Town's residents)

Mayor Venis deferred his appointment to the December 17th meeting. Councilmember Cox appointed Mike Fuentes.

12.2 Fire Employees' Pension Board (terms expire December 1999; 2 non-exclusive appointments)

Vice-Mayor Santini nominated Ralph Barnouw. Councilmember Cox seconded the nomination. In a roll call vote, the vote was as follows: Mayor Venis - yes; Vice-Mayor Santini - yes; Councilmember Bush - yes; Councilmember Cox - yes; Councilmember Kiar - absent. (Motion carried 4-0)

Councilmember Cox nominated Vice-Mayor Santini. Councilmember Bush seconded the nomination. In a roll call vote, the vote was as follows: Mayor Venis - yes; Vice-Mayor Santini - yes; Councilmember Bush - yes; Councilmember Cox - yes; Councilmember Kiar - absent. (Motion carried 4-0)

12.3 Police Employees' Pension Board (terms expire December 1999; 2 non-exclusive appointments)

Vice-Mayor Santini indicated that she would like to be appointed to this Board. Mayor Venis nominated Sid Waldfogel.

Councilmember Bush made a motion, seconded by Vice-Mayor Santini, to appoint Vice-Mayor Santini and Sid Waldfogel to the Police Employees' Pension Board. In a roll call vote, the vote was as follows: Mayor Venis - yes; Vice-Mayor Santini - yes; Councilmember Bush - yes; Councilmember Cox - yes; Councilmember Kiar -

absent. (Motion carried 4-0)

12.4 Budget Advisory Committee (terms expire December 1998; one exclusive appointment per Councilmember) (members shall have experience in financial related occupation or similar skills)

Councilmember Bush appointed Sid Spiro. Vice-Mayor Santini appointed John Pisula. Mayor Venis deferred his appointment. Councilmember Cox appointed Karen Willard.

12.5 Davie Water Advisory Board (terms expire December 1998; two exclusive appointments per Councilmember) (a minimum of one member shall be a licenses engineer)

Councilmember Bush appointed Michael Davenport and Don Zane. Vice-Mayor Santini appointed Chuck Bonfiglio and Cara Pasquale. Mayor Venis appointed David Brown and Tom Greene. Councilmember Cox appointed Dean Alexander and deferred her second appointment.

### **13. DISCUSSION AND POSSIBLE ACTION**

#### **13.1 Status Report on Annexations**

Dave Sigerson, the Town's lobbyist, discussed the Town's annexation efforts. Vice-Mayor Santini questioned the issue of Ivanhoe deannexing. Mr. Sigerson responded that he thought the deannexation issue was a misunderstanding and advised that Representative Debbie Wasserman-Schultz had had some complaints from the residents. He thought the Town's neighborhood workshop was a good idea and indicated that it would be borne out that the Town had "done well by that area". Mr. Flatley indicated that the Town needed to conceptually pass the annexation efforts.

Mr. Flatley advised that there were four annexation bills which would be reviewed by the delegation for first reading on December 11th. He stated that one area of concern was the provision of garbage services for Rexmere and explained that in the garbage contract, Jim Dale would be able to control his garbage services along with Paradise Village. Mr. Flatley indicated that Mr. Dale would be paying a 12.5 franchise fee to the Town for Paradise Village. Vice-Mayor Santini state that Mr. Dale had agreed to pay a franchise fee for both areas with Mr. Webber indicating that he thought it was only one area.

Mr. Flatley stated that any mobile home park that wanted to be annexed into the Town had the right to live under its existing garbage contract; however, he had seen contracts extended for four to five years prior to being annexed. He advised that in the year 2010, all unincorporated areas will have been annexed into a city and no deals would be made after the 2010. Mr. Flatley stated that if the Town wanted to extend any privileges, it should end in the year 2010. Councilmember Cox responded that the privileges should end before 2010 and added that she felt the "drop dead date" should be six years from now which would be consistent with the Town's six year garbage franchise. There were no objections or comments from Council.

### **14. ADJOURNMENT**

There being no objections or further business, the meeting was adjourned at 11:20 p.m.

